IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 2134 of 2007(D)

PETITIONER:

M.C.JOSEPH SIJO,
MANAGING PARTNER, PRIYAM GOLD AND DIAMON,
THODUPUZHA, IDUKKI.

BY ADV. SRI.C.C.ABRAHAM

RESPONDENTS:

---

1. THE SECRETARY,
THODUPUZHA MUNICIPALITY,
MUNICIPAL OFFICE, THODUPUZHA, IDUKKI.

2. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT,
DEPARTMENT OF LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.P.K.SOYUZ,THODUPUZHA MUNICIPALIT

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 2134/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE DEED OF PARTNERSHIP

EXT.P1(A) : TRUE COPY OF THE CERTIFICATE OF REGISTRATION DT.03.05.03 ISSUED BY THE ADDITIONAL INCOME TAX OFFICER, DEPARTMENT OF COMMERCIAL TAXES, 1ST CIRCLE, THODUPUZHA TO THE PETITIONER.

EXT.P2 : TRUE COPY OF THE PURCHASE DEED BEARING NO.145/06 OF THODUPUZHA SRO.

EXT.P3 : TRUE COPY OF THE PLAN OF THE PROPOSED BUILDING TO BE CONSTRUCTED BY THE PETITIONER SUBMITTED BEFORE THE 1ST REPSONDENT.

EXT.P4 : TRUE COPY OF THE ORDER NO.P.W.NO.6483/06 DT.6.10.06 ISSUED BY THE 1ST REPSONDENT.

EXT.P5 : TRUE COPY OF THE LOCATION SKETCH PREPARED AND CERTIFIED BY THE VILLAGE OFFICER, THODUPUZHA.

EXT.P6 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER DT.30.10.06 TO THE 2ND RESPONDENT.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 2134 OF 2007

Dated this the 1st day of February, 2007

JUDGMENT

I do not propose to go into the merits at all. But Ext.P6 representation has been submitted by the petitioner before the 2nd respondent-Government. It is only appropriate that the Government considers this representation. Government will consider Ext.P6 in the light of the grounds raised in the Writ Petition and take a decision after hearing the petitioner at the Government's earliest and at any rate within two months of receiving copy of this judgment. The Government will issue notice to the Municipality also and gets its views in the matter before a decision is taken.

The Writ Petition will stand disposed of as above.

PIUS C. KURIAKOSE, JUDGE

btt